

EXHIBIT 2

From: [Jonathan Mitchell](#)
To: [Ellen Leonida](#)
Cc: [Ellis Herington](#); [Matt Rienstra](#); [Dwain K. Rogers](#); [Katherine Chiarello](#); [Maria Calaf](#); [Ryan Botkin](#); [Kayna Levy](#); [Max Bernstein](#); [Shannon Morrissey](#); [Andrew Levine](#); [Gemma Null](#)
Subject: remaining depositions
Date: Wednesday, March 22, 2023 11:56:29 AM

***** EXTERNAL MESSAGE *****

Counsel:

Dwain just informed me that Ellen mentioned at Cindy Travers's deposition that you plan to hold off on remaining depositions until the court rules on your motion for leave to exceed the ten-deposition limit.

If that is true, then please send us an e-mail cancelling the depositions that you no longer intend to take. We cannot rely on your oral representations, and we cannot take the risk that you will show up for these depositions and then accuse us of no-showing.

We will expect all depositions of our clients that you have noticed to be taken unless you cancel the deposition in writing. The same goes for non-party witnesses that you have served with subpoenas. You do not need to cancel the depositions of witnesses that you have already deposed (such as Bonnie Wallace) because those witnesses are under no obligation to appear.

If you no-show without cancelling the deposition in writing, then we will seek to recover costs and fees under FRCP 30(g). We will also seek to recover costs and fees if we waste our time preparing a witness for a deposition that you cancel at the last minute, or if our clients incur travel costs for depositions that you cancel after the costs have been incurred.

As of now, we are planning to prepare and produce Gay Baskin for her scheduled deposition tomorrow morning. If you intend to cancel this deposition, let us know in writing immediately.

—Jonathan

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